

decidedly unusual thing in the case of a patient who had been in the asylum less than forty-eight hours—has added to the interest of the reports the fact that Harry Thaw's family believe he will be freed from confinement at an early date through habeas corpus proceedings, at which they expect to show that Stanford White's slayer is now a sane man.

Favors Come Soon.
The privilege of having his own food served to him from the New York markets was also extended to Thaw this forenoon, very much to his own surprise, as he had been told weeks or even months of good behavior on his part would be an essential to the granting of such a favor.

For the time being, however, he must spend his waking hours with a big room full of lunatic murderers and madmen, and he must eat his meals under a keeper's eye at a long table, where he sits between a crazed preacher who burned down a church and a Bowery gun-fighter who killed his man and then went mad.

If Thaw thinks the milder treatment which he is now to have is merely the second stage of a week-end outing up the Hudson he is mistaken. His lawyers have not yet conferred with his family regarding the advisability of securing his release on habeas corpus proceedings. There was no conference today between his mother and the lawyers who defended him in the murder of Stanford White.

In a few days his chief counsel, Martin W. Littleton, will go to Florida to recover from the strain of the late trial. It may be that nothing will be done until Littleton's return, or it may be that local up-Staters will be chosen, on his suggestion, to make application before some Supreme Court Justice at Poughkeepsie for a writ.

It had been stated that Thaw would sleep for at least a month in the public ward. Consequently the announcement of his transfer to the new asylum, and of the new arrangement as to his fare came as a decided surprise. True, the meats and vegetables and fruits which he is hereafter to enjoy in lieu of plain asylum food will be sent to him in a canteen, but his purse will provide Thaw with a competent chef from among the hospital's culinary staff.

Antics of Others Amuse Him.
The slayer of Stanford White appears now to be content with his surroundings. This morning he told the asylum physicians that the antics of his fellow-prisoners amused him as much as a vaudeville show.

His new room is about the size commonly called a "hall bedroom." It measures 8 by 10, with not a single piece of furniture in it except the iron bed. The two small windows are covered with neat Swiss curtains, and through the bars which guard them he can see Mount Beacon and other Fishkill mountain tops.

Thaw was awakened at 5.45 o'clock this morning. He asked the attendant permission to go to the bathroom. He was politely informed that bathing hours for inmates were from 3 to 5 P. M. He raised a small objection to the extra large size suit of asylum pajamas that was given him to wear. But he smiled when he told the keeper that he would have a suit of the same pajamas sent to him by Dan O'Reilly.

Got Into the "Quiet Division."
At 6.15 the millionaire inmate was placed in line No. 1 North, to which he had been assigned on his arrival Saturday night. After an inspection by the head keeper, the march to the dining-room started. Thaw tramped along like an old stager, but it was noted that he was one of three out of the fifty-eight in line who wore a garb other than the asylum suits of blue flannel. Keeper Fox showed him his place at the table. The particular mess in which Thaw was assigned is called "the quiet division." The noisy and dangerous lunatics dine at another hour.

On Thaw's right sat Charles Bain, formerly a Protestant clergyman, at Waterloo, N. Y. Bain set fire to his church during evening service a few years ago. Several people were burned to death and the structure was destroyed. He was convicted of arson, examined by a Board of Insanity, committed to Matteawan, while dangerous if not watched. Bain is quiet as a rule at the dining table and in the ward.

The young Pittsburgher's companion on the left was "Mike" O'Donnell, an east side character who has been a "con man" and "killer." Bating more than forty years. In the seventies O'Donnell was convicted of a murder in the Bowery and sentenced to Sing Sing for thirty years. His brother made a dying confession of his own guilt of the murder, and "Mike" O'Donnell was pardoned by Gov. Flower.

Roith Interests Thaw.
In 1902 O'Donnell shot and killed a man over a card game in Manhattan. He was then sent to Matteawan. Near Thaw at the dining table was Stephen De Angelis, a brother of a Supreme Court Justice of Utah, N. Y. Angelis had been for the past two years a

hanger-on at the headquarters of political organizations in Manhattan. He was a familiar figure in Broadway lodges. He shot a man four months ago and was committed as insane.

Thaw showed a keen interest in John George Roith, the madman who killed the distinguished clergyman Dr. John Hall on the steps of a Fifth avenue church about fifteen years ago. Roith, now known as "President" Cleveland or "Queen Victoria," Roith told Thaw, "You follow my advice, young man, and I will make you rich."

Laugh at His Millions.
When the keeper revealed Thaw's identity to the inmates and said he was worth millions they laughed and jeered, for as the keepers explained, they hear tales of grandeur and untold wealth from every man.

For breakfast Thaw ate an orange which he brought with him, a small portion of oatmeal, bread and coffee. He did not look worried. He spent the morning inspecting the ward and questioning keepers. He spoke several times to Quimbo Appo, the notorious old-time Chinese burglar, who shot and killed Paul Kelly, a prizefighter, in New York about April, 1897, and was sentenced to life imprisonment.

Thaw also had a long talk with William J. Lee, who had been under treatment at the asylum for several months and was sent to Matteawan last year for murderously assaulting a man. Lee is to appear in the Supreme Court on Thursday in a motion made by his lawyers for his release.

Advises a New Friend.
Thaw advised with him as to the court procedure, and Lee told the keepers later that the newcomer was his friend. Other inmates with whom Thaw conversed during the morning were Arthur Palmer, who killed his brother at White Plains, and Fred Childs, who shot a woman and a man who had never been heard of before. He did not talk to anyone during the "exercise hour," when in company with his fellows of the ward, he tramped stolidly about the frozen yard.

In the ward in which Thaw spent his first two nights as an inmate there are twenty-eight men convicted and committed for murder, and seven more who have been committed for insanity.

Wife to Live Near By.
Thaw read the New York papers today. He left no order for all the magazines. He will be allowed to receive visitors every afternoon from 2 to 5 o'clock. A keeper will be present with callers, and even Evelyn Nesbit Thaw will not see him alone. Thaw's wife has already reserved rooms at the Hotel House at Fishkill Landing, thirty minutes' drive from the town.

Dr. Robert B. Lamb, medical superintendent of the asylum, directed in charge of Thaw, said to an Evening World reporter today:
"Thaw was assigned to a ward which is occupied by the usually quiet patients. While in the ward he is at all times under observation. In his private room he is passed by a keeper every thirty minutes, and no night nurse is permitted to enter his room."
"I do not fear suicide in his case, and I may say with all fairness that Thaw rationally answered questions as to his age, residence, habits, &c. That does not mean that he is sane, however."

"I have ordered that Thaw shall not be permitted to smoke. Of course, under no circumstances will he be furnished with alcoholic liquors. He must spend his waking hours in the public ward and he must dine with his fellow-inmates always, although he can have his own food served to him under certain conditions."
"It is my intention to keep him under observation thirty days or more, and, if in a reasonably sane condition, he expresses a desire to work as a gardener, carpenter or kitchen helper I will probably agree to it."
"Thaw will be allowed to write as many letters as he likes, but they must pass through the hands of asylum officers."

No Family Conference.
Mr. Littleton said today that no family conference with Thaw's lawyers, a plan to have Thaw freed from Matteawan had been arranged. He said he had received no intimation that the Thaws desired to sever with him his professional relation as Harry Thaw's chief counsel.

Motion for a writ releasing Thaw will, if Mr. Littleton has his way, be made at an uplate point, probably at Poughkeepsie, in the near future. When such a writ is sought, said Mr. Littleton, "that it shall be made for at some local point, and I imagine the motion will be made by local lawyers. That is my belief."

Will Not Hasten Proceedings.
Mr. Littleton also intimated that, in his belief, a certain time should elapse before a writ would be asked, inasmuch as it seemed to be the feeling of the jury, the judges and of the community that an institution like the place for Thaw, for a time at least. But at the same time he questioned the constitutionality of a law which he said, permits a judge to incarcerate a man for as long a term as may be within four months without jury or process to stay his act.

Dan O'Reilly, of Thaw's counsel, went to Matteawan this afternoon, accompanying the prisoner's wife, Evelyn Nesbit Thaw.

Crowd to See Wife.
A local newspaper has bulletined the coming of the wife, and the station was crowded with townspeople when the lawyer and the young woman stepped off the parlor car. There was no demonstration of any sort.

Mrs. Thaw wore her familiar suit of Testimony Blue that became famous during the trial. She and O'Reilly walked from the depot to the Riverside Inn where she was allowed to see the piano on which Harry Thaw played Saturday night. Thaw's first confinement was in the Holland House, where she dined with O'Reilly and one newspaper man. It was stated that she would drive out to the asylum in the course of the afternoon.

DIED SUDDENLY IN STREET.
Patrick Reilly, seventy-five years old, of No. 49 West Thirty-fifth street, died suddenly of heart failure at Sixth avenue and Thirty-sixth street today.

Sett's & Knap's sale of fresh beef in New York City for the week ending Saturday, Feb. 1, averaged 7.11 cts. per lb.

SERVICE BOARD CAN GIVE 5-CENT FARE TO CONEY

Chairman Wilcox Admits It Has Power to Stop B. R. T.'s Overcharge.

NO COMPLAINT, HE SAYS

The Commission Hasn't Heard About the Public Outcry Against Extortion.

From correspondence made public today it appears that the Public Service Commission has power to establish and order a through five-cent fare on all lines running to Coney Island, but the Public Service Commission is not aware of any dissatisfaction over the present rate of 10 cents.

It seems that the members of the Public Service Commission have not heard of the riots that attended the 10-cent fare imposition a year ago last summer, and are in ignorance of the manner in which the B. R. T. with the aid of plant Senators, killed The Evening World's Five-Cent Fare Bill in the Legislature last winter.

Everybody Else Knows.
Everybody else in New York but the members of the Public Service Commission knows that the rate of 10 cents to Coney Island is an imposition. Everybody else knows that pending the settlement of the question by the courts the B. R. T. gave to all passengers who paid the 10-cent fare slips entitling them to reimbursement of half of each fare paid should the five-cent rate be upheld. Everybody outside the Public Service Commission knows that the 10-cent rate was upheld by law on a technicality and that the technicality was clearly pointed out.

But Chairman Wilcox explains in a letter to Senator McCall, who has introduced a five-cent fare bill, the Public Service Commission, while it has power to order a five-cent rate, must have complaints filed in writing by persons aggrieved or imposed upon by the present rate. These complaints must be specific and apply to each and every line and part of a line over which cars are operated to Coney Island.

Then there must be a public hearing on each complaint and an exhaustive investigation. The Public Service Commission has given an example of this in the case of the Metropolitan matter, which progressed nobly until it got to the vicinity of the vitals of the situation, and has not been heard of further for months.

As Slow as Old Board.
The attitude of the Public Service Commission indicates that in urgent matters affecting the rights and comfort of the people it is about on a par with the old Rapid Transit Commission. Consequently The Evening World's five-cent fare measures will be pushed through the Legislature and the duty of enforcing the B. R. T. to an Assemblyman Wagner's bill will soon be acted upon by the Assembly and will pass. The Senate bill will be reported out of the Committee on Railroads probably this week, and the matter will be up to Gov. Hughes in a short time. Action by the Legislature is necessary, because the Public Service Commission plainly takes the stand that what is everybody's business is nobody's business.

What Wilcox Says.
Here is Chairman Wilcox's letter to Senator McCall:
"I am in receipt of your letter of Jan. 30, referring to bills in the Senate and the Assembly fixing at five cents the rate of fare upon railroads, apparently with particular reference to the service to Coney Island."
"In your letter you refer to a public hearing before the Assembly Committee on Railroads, which is scheduled for Jan. 23, at which you say it was stated by the Attorney for the Public Service Commission that the Commission had the authority to fix the rate of fare on all railroads operating in the city of New York, and you say that the Commission is quoted at the meeting to the effect that the Commission has full power to fix a rate of fare upon railroads, and if you so inquire whether the Commission has not had the authority to do so, I am in reply to you that the Commission has full power to fix a five-cent rate of fare upon railroads to Coney Island."

"Prior to the hearing before the committee of which you speak Mr. Wainwright, chairman of the Committee on Railroads, has been asked to make a statement in regard to the Commission's authority to fix the rate of fare on all railroads operating in the city of New York, and he has stated that the Commission has full power to fix a rate of fare upon railroads, and if you so inquire whether the Commission has not had the authority to do so, I am in reply to you that the Commission has full power to fix a five-cent rate of fare upon railroads to Coney Island."

"In so far as the proposed bill bears upon existing rates and obligations, it is a bill to amend the law, and it is the duty of the Commission to consider it as such. It is not the duty of the Commission to consider it as a bill to amend the law, and it is the duty of the Commission to consider it as such. It is not the duty of the Commission to consider it as a bill to amend the law, and it is the duty of the Commission to consider it as such."

"The matter is an important one, and in order that it may be taken up in an orderly way, as intended by the Legislature, it is suggested that a complaint be filed by some person aggrieved by the existing rates, and that the Commission be asked to consider it as such. It is not the duty of the Commission to consider it as a bill to amend the law, and it is the duty of the Commission to consider it as such."

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PLOT OF ANARCHISTS WAS OF ROYAL FAMILY.

(Continued from First Page.)

But says he has no pain. If no complaint follows, which is unlikely, he will be released. The bodies of King Carlos and Prince Luiz were embalmed today and will be taken to the custom of the court. The funeral will be held on Monday, Feb. 10, probably.

SPAIN HURRIES WARSHIP TO LISBON.
MADRID, Feb. 3.—The Government has ordered the cruiser Principe de Asturias to proceed to Lisbon.

The dispatch of the cruiser to Lisbon is explained by the newspapers with the statement that the Spanish Government is to be put at the disposition of the Spanish Minister.

The Lisbon correspondent of the Imperial says that when the Dowager Queen Maria, who arrived at the Alameda docks were waiting for the King and the Crown Prince. The Queen threw herself upon the body of her son, the King, and the doctors were obliged to remove her by force.

When the Queen was removed she was crisscrossed with blood; then she swooned.

All travelers crossing the Portuguese frontier are being subjected to a rigorous examination.

On the evening of the assassinations no fugitive was wounded.

Advices received here from Nuevita say that Portuguese families are taking refuge in the mountains of the mountains of Cristina and at Ayamonte, a Spanish town on the Portuguese frontier. According to the latest news from Vigo, public opinion in Oporto holds Franco responsible for the assassinations.

NEW KING POPULAR; ARMY WITH HIM.
BERLIN, Feb. 3.—The Darmstaedter Bank has received the following private despatch from Lisbon:

The new King of Portugal is unusually popular. The army is thoroughly loyal. All alarming rumors should be received with the greatest caution. A coalition Ministry of all the monarchist parties will be organized today or tomorrow.

The Portuguese Legation here has informed the German Foreign Office that order prevails in Portugal. The Government is still firmly supported by the army and the people.

In addition to the suspension of the German Court entertainments as a sign of mourning for the late King and Crown Prince of Portugal, various balls and evening receptions by persons attached to the Court have been postponed.

LISBON TRAGEDY WARNING TO CZAR.
ST. PETERSBURG, Feb. 3.—The tragedy which took place at Lisbon has created a deep impression on all sections of society here, and the newspapers that appear today comment gravely and seriously upon the events that led up to the double assassination.

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STUPID POLICE LOCK UP A GIRL WHO SEEKS AD

Arrest Miss Ethel Smith After She Goes to Station for Protection.

DENOUNCED BY COURT.

Magistrate Steinert Says He Will Personally Take the Case to Gen. Bingham.

Magistrate Steinert will call to the attention of Police Commissioner Bingham today an example of what he characterized from the bench as the most outrageous piece of police stupidity of which he had ever heard.

Miss Ethel Smith, a young milliner, of No. 247 West Thirty-seventh street, was returning to her home last night when she was annoyed by the persistent attentions of a man who was intoxicated. The man is Stephen Titus, of No. 58 Seventh avenue.

Alarmed at the man's persistency, Miss Smith ran to the West Thirtieth street station and appealed to Lieut. Collins for protection. He sent Policeman Pfister out to arrest the drunken man. When the man was brought into the station Miss Smith made a complaint against him and started to go out.

Locked Her Up, Too.
"Come back here," Collins called out, "you can't go." The intelligent Lieutenant informed the young woman that she would have to spend the night in a cell as a suspicious person, and she was conducted to the rear of the station-house and locked up with the same genteel ceremony that pertains to the incarceration of a felon.

When the girl related the facts of her treatment at the station house in the West Side Court today Magistrate Steinert said that he was sorry to hear of her treatment, and he ordered her to be released.

Leaving out of his chair and bending over the bench he shook a finger under the nose of Policeman Pfister and shouted:

"This is the most dastardly outrage I have ever heard of. This young woman, whom a blind man could see is respectable, enters a police station for protection from a drunken ruffian and you lock her up—treat her like a criminal. Your lieutenant must be a madman or an idiot. It is a scandal that men so utterly lacking in intelligence should be assigned to any post of authority. I will carry my protest to Commissioner Bingham personally and see if something can't be done to prevent this sort of thing."

Not Fit to Wear Uniform.
"You saw that this man was intoxicated, and you saw that this girl was respectable. She asks for protection from ruffianism, and you drag her to a cell as you would a criminal. Policemen guard the public peace, but they can't wear uniforms."

The Court paused for breath a moment and then told Miss Smith to go home, assuring her that he would take her case to No. 800 Mulberry street and report it to the Commissioner. Then he need Titus \$10 for intoxication.

This question the court answered today. It was the first time the question had been asked as to whether or not the arrest of a woman on the ground of a complaint of a man was a violation of the Sherman act.

The case arose over a strike in Lowell's hat factory, in which the union of the hat makers of the United States of America, in which the American Federation of Labor joined by pulling down the hat makers of Lowell, Mass., Co. brought suit under the Anti-Trust law providing for the recovery of three-fold damages for injury to commerce or property due to conspiracy in restraint of trade embrace suits brought against the individual members of a labor union for damages through a boycott it had declared.

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